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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/567,542

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Patrick Levy-Rosenthal

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ALEXANDRIA, VA 22320-4850

EXAMINER

MORRIS, JOHN J

ART UNIT

PAPER NUMBER

4147

MAIL DATE

DELIVERY MODE

12/05/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/567,542	Applicant(s) LEVY-ROSENTHAL, PATRICK	
	Examiner JOHN J. MORRIS	Art Unit 4147	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>5/15/2006</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Specification

1. The abstract of the disclosure is objected to because it is not limited to a single paragraph and is not in the correct format. Correction is required. See MPEP § 608.01(b).
2. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Crabtree, IV (US Pat# 5572375/ or "Crabtree" hereinafter) in view of Batchko (US Pat# 5148310).

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For **claim 1**, Crabtree teaches a mobile screen that receives and reproduces images (Crabtree, column 12, lines 29-31). Crabtree also teaches an optical device for producing an image from the screen in space (Crabtree, figure 7a). Crabtree does not teach synchronizing means; however, in the same field of endeavor, Batchko teaches synchronizing means that synchronize the nature of the produced image and the position of the screen with the spatial position of the view (Batchko, column 5, lines 16-30). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Crabtree with Batchko because both deal with three-dimensional images and the synchronizing means of Batchko would increase the ease of use for the user by increasing the viewing angle.

For **claim 2**, Batchko teaches modifying the angle of view of the image that is to be reproduced depending on the viewer's displacement (Batchko, column 5, lines 16-30).

For **claim 3**, Batchko teaches devices for detecting the viewer's spatial position in real time (Batchko, column 5, lines 16-30).

For **claim 4**, Batchko teaches a memory to store images (Batchko, column 4, lines 51-66, column 6, lines 5-18). Batchko also teaches synchronizing means reproducing the image corresponding to the angle of view associated to the viewer's position (Batchko, column 5, lines 16-30).

For **claim 5**, Batchko teaches a computer used to control external devices (Batchko, column 6, lines 5-18). Batchko also teaches picture-taking means for synchronizing the produced image and the viewer's position (Batchko, column 5, lines 16-30). Therefore, it would have been obvious that the system could take pictures of a scene based on the viewer's angle since it can determine the angle of the viewer and position the image accordingly.

Claim 6 is rejected upon the same grounds as claim 5.

For **claim 7**, Batchko teaches picture-taking means comprising of two cameras (Batchko, figure 7). Batchko also teaches synchronizing means for reproducing the angle of view corresponding to the viewer's position (Batchko, column 5, lines 16-30).

For **claim 8**, Batchko teaches a system, which can be used for video conferencing, containing a picture-taking device for reproducing an image (Batchko, figure 7).

Claim 9 is rejected upon the same grounds as claim 1.

For **claim 10**, Crabtree teaches an optical device that may have a fixed position (Crabtree, figure 7).

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For **claim 11**, Batchko teaches a system comprising a chassis that has optical devices and the screen attached and synchronizing means (Batchko, figure 1 and figure 7).

For **claim 12**, Batchko teaches a device comprising at least one spherical mirror (Batchko, column 10, lines 43-45).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOHN J. MORRIS whose telephone number is (571)270-7171. The examiner can normally be reached on Monday - Friday 7am - 3pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kieu-Oanh Bui can be reached on (571)272-7291. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/KIEU-OANH BUI/
Supervisory Patent Examiner, Art Unit 4147

JOHN J MORRIS
Examiner
Art Unit 4147

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